

Lien of im-
pounder on stock
for damage, &c.

the parties, estimate said damages, which shall be paid by the person claiming such stock, together with the cost of the proceedings, before the said stock is delivered to the owner thereof, or in case of sale before such owner shall be entitled to demand any part of the proceeds of such sale.

County commis-
sioners to erect
fence, &c.

SEC. 9. It shall be the duty of the board of county commissioners of Franklin county to erect a good and lawful fence around the entire territory herein described, or so much thereof as may be necessary to fully carry out the provisions of this act, and to erect gates on all public highways leading into said territory, and to keep the same in good repair.

Condemnation of
land when owner
objects to build-
ing fence.

SEC. 10. If the owners of any land shall object to the building of any fence herein provided for, his or her land, not exceeding twenty feet in width, shall be condemned for the fence-way as land has been heretofore condemned for railroad purposes by the Raleigh and Gaston Railroad Company: *Provided*, that no fence shall divide a tract of land against the consent of the owner, but may follow the boundaries thereof: *Provided further*, that when a public road divides a tract, the fence may follow the highway even against the consent of the owner of the land so divided.

Fence not to di-
vide land with-
out consent of
owner.

When public
road divides land
fence to follow
highway.

Special tax.

SEC. 11. That for the purpose of carrying out the provisions of section nine of this act, the county commissioners of Franklin county may levy and collect, as other taxes are levied and collected, a special tax upon all the real property taxable by law by the State and county within the limits of said described territory.

Wilful injury to
fence or gate a
misdemeanor.

SEC. 12. Any person or persons wilfully tearing down or in any manner breaking a fence or gate erected in pursuance of this act, shall be deemed guilty of a misdemeanor, and upon conviction shall be fined not exceeding fifty dollars or imprisoned not more than thirty days.

Penalty.

All streams now
lawful fences con-
tinued so.

SEC. 13. That all water courses or streams in or bounding said territory herein described which are now by law